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Tarrant County Texas

2009 Jul 14 12:33 PM

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**D209187440**

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*Argonne Henderson*  
**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**SUBORDINATION OF DEED OF TRUST  
TO OIL AND GAS LEASE**

**State:** Texas  
**County:** Tarrant  
**Lessor:** Jeremiah C. Cone and Shawna Cone  
**Lessee:** XTO Energy Inc.  
**Lienholder:** National City Mortgage  
**Effective Date:** June 9, 2008

Lessee, named above, is the present owner of an Oil and Gas Lease (the "Lease") from Lessor, named above, in favor of XTO Energy Inc., dated June 9, 2008, recorded as Tarrant County Clerk's Document No. D208336578, Official Public Records, Tarrant County, Texas. The Lease covers the following lands (the "Lands") located in Tarrant County, Texas:

0.1890 acres, more or less, being Lot 33, Block 3, Riverwood at River Park, an Addition to the City of Fort Worth, Tarrant County, Texas, according to the revised map or plat thereof recorded in Cabinet A, Slide 2070, of the Plat Records of Tarrant County, Texas.

Lienholder, named above, is the present owner and beneficiary of the liens, encumbrances and rights created by a Deed of Trust dated May 11, 2006, recorded as Tarrant County Clerk's Document No. D206143386, Official Public Records, Tarrant County, Texas, and a Vendor's Lien retained in a General Warranty Deed with Vendor's Lien in Favor of Third Party dated May 11, 2006, recorded as Tarrant County Clerk's Document No. D206143385, Official Public Records, Tarrant County, Texas.

Lienholder, for adequate consideration, and to encourage exploration and development of the Lands for oil and/or gas, subordinates the liens, encumbrances, and rights created by the Deed of Trust to the Lease and to the interest of the original Lessee in the Lease, and its successors and assigns. Lienholder agrees that the Lease shall have the same validity, priority, and effect as if executed, delivered, and recorded prior to the effective date of the Deed of Trust; provided, however, nothing in this subordination shall operate to alter in any way, change, or modify the terms and conditions of the Deed of Trust or in any way release or affect the validity or priority of Lienholder's liens on the Lands, except as provided above.

Regardless of any provisions which may be contained in the Deed of Trust granting Lienholder or its successors and assigns an interest in or right to receive any bonus, rentals,

royalties, or other payments which may be payable under the terms of the Lease, Lienholder expressly authorizes and directs that all bonus, rentals, royalties, and other payments provided for in the Lease are to be paid to Lessor, or Lessor's successors in interest, in accordance with the terms of the Lease, and any amendments or revisions to the Lease. This authorization and direction (but not the subordination) may be revoked by Lienholder by providing written notice of revocation to the Lessor or the payor of proceeds from sales of oil and/or gas from the Lease and Lands, or any other payments due Lessor.

This Subordination is signed by Lienholder as of the date of the acknowledgment below, but is deemed effective for all purposes as of the Effective Date stated above.

Executed, this 29 day of July, 2009.

National City Mortgage

By: Crystal A. Carter-Rhodes

Printed Name: Crystal A. Carter-Rhodes

Title: Assistant Vice-President

THE STATE OF Ohio §

§

COUNTY OF Montgomery §

This instrument was acknowledged before me on the 29 day of July, 2009, by Crystal A. Carter-Rhodes as Authorized Signer, National City Mortgage.



KENAESHA EDWARDS, Notary Public  
In and for the State of Ohio  
My Commission Expires Feb. 6, 2010

[Signature]  
Notary Public in and for the State of Ohio  
My Commission Expires: Feb. 6, 2010